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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,671	03/24/2004	Udo Klein	07781.0319-00	6228
60668 7590 09/10/2008 SAP / FINNEGAN, HENDERSON LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413				
EXAMINER				
PANNALA, SATHYANARAYA R				
ART UNIT		PAPER NUMBER		
2164				
MAIL DATE		DELIVERY MODE		
09/10/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 10/808,671	Applicant(s) KLEIN ET AL.
Examiner Sathyanarayan Pannala	Art Unit 2164

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 August 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1,5-8,10-12,16-22,25,29,35,41,44 and 45.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Sathyanarayan Pannala/
Primary Examiner

Continuation of 3. NOTE: Applicant amended claims 1,12 25, 35,41, 44 and 45 changed the scope of claims and search for prior art may be required and further consideration is essential. Therefore, this amendment will not be entered.

Continuation of 11. does NOT place the application in condition for allowance because: Claims 1, 5-8, 10-12, 16-22, 25, 29, and 35-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sankaran et al. (US Patent 5,832,484) hereinafter Sankaran, in view of Bangel et al. (US Patent 6,901,401) hereinafter Bangel and further in view of Gupta et al. (US Patent 6,438,562) hereinafter Gupta. For example, claim 1 is rejected as: As per independent claims 1, 12, 25, 35, 41,44-45, Sankaran teaches a database system and method for improving scalability of multi-user database systems by improving management of locks used in the system (see abstract). Sankaran teaches the claimed, detecting, by a computer, a new query for a set of database records (col. 2, lines 28-30). Sankaran does not explicitly teach checking authorization. However, Bangel teaches the claimed, determining whether an employee number associated with the set of database records matches an employee number (user name) of a user that submitted the new query and whether the user is authorized to acquire a new lock on the set of database records, wherein the user is authorized if the employee number associated with the set of database records does not match the employee number of the user (Fig. 3, col. 4, lines 46-49). Bangel teaches the claimed, denying the new lock if the user is not authorized (Fig 3, col. 4, lines 49-53). Bangel teaches the claimed, informing the user that the user that the user can access the set of database records when the user is authorized or informing the user that the user cannot access the set of database records when the user is not authorized (Fig. 1, col. 3, lines 45-52). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to combine the teachings of the cited references because Bangel's teachings would have allowed Sankaran's system and method in which unauthorized users are prevented from using a database stored on computer system while still allowing authorized users to make modifications to the database (col. 1, lines 62-67). Sankaran teaches the claimed, set the new lock attempting to set the new lock if the user is authorized (Fig. 4A-B, col. 15, lines 37-42). Sankaran and Bangel do not explicitly teach using employee number. However, Gupta teaches the claimed, employee number (Fig. 2, col. 2, lines 36-39). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to combine the teachings of the cited references because Gupta's teachings would have allowed Sankaran's system and method in which unauthorized users are prevented from using a database stored on computer system while still allowing authorized users to make modifications to the database (col. 1, lines 62-67). Therefore, the Final Office Action mailed on 6/25/08 is maintained.